



WEB COPY

W.A(MD)No.279 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A(MD)No.279 of 2022
and C.M.P. (MD) No.2698 of 2022

A.Abimanyu

.. Appellant/Petitioner

Vs

The Managing Director
State Express Transport Corporation (Tamilnadu) Ltd.,
No.2 Pallavan Salai,
Chennai - 2.

.. Respondent/Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 08.03.2022 made in W.P.(MD) No. 23067 of 2021.

Prayer in WP(MD) . 23067/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue WRIT OF CERTIORARIFIED MANDAMUS to call for the records pertaining to the impugned Order in Order No.001919/HR6/SETCTN/2020 dated 18.12.2021, on the file of the Respondent and quash the same as illegal in so far as transferring the petitioner and consequently for a direction, forbearing the Respondent from transferring the petitioner in violation of the guidelines issued in Government Order in G.O.Ms.No. 10, personnel Administrative Reforms Department dated 07.01.1994 and to pass any further or other orders as this Honble Court may deem fit under the circumstances of the case and thus render justice.

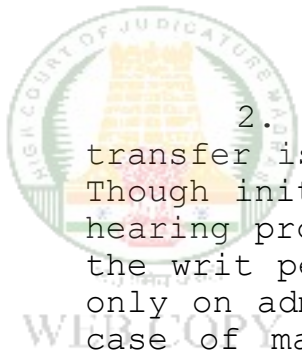
For Appellant : Mr.M.Ajmal Khan, Senior Counsel
for Mr.V.Rajiv Rufus

For Respondent : Mr.K.Sathyasingh

JUDGMENT

[Delivered by R.VIJAYAKUMAR, J.]

The writ petitioner is the appellant. The petitioner, who is working as a Branch Manager in Transport Corporation at Madurai, has challenged an order of transfer from Madurai to Trichy.



2. In the writ petition, he has made averment that the transfer is a punitive one and hence it is liable to be set aside. Though initially an order of interim stay was granted, during final hearing proceedings, the learned Single Judge has chosen to dismiss the writ petition on the ground that the transfer has been effected only on administrative grounds. The petitioner has not made out any case of malafides or without jurisdiction the transfer order has been passed.

3. Learned Senior Counsel appearing for the writ petitioner - appellant contended that the writ petitioner's daughter is due to get married on 24.06.2022 and some sympathetic consideration may be shown, permitting the petitioner to stay in the present post at least for few months.

4. We are entirely in agreement with the order passed by the learned Single Judge. A perusal of the impugned order shows that the transfer has been effected only on administrative grounds and there are no reasons to interfere in the order of learned Single Judge.

5. However, considering the plea made by learned Senior Counsel and the marriage invitation of the petitioner's daughter filed in additional typed set of papers, which indicates that the petitioner's daughter is getting married on 24.06.2022, we are inclined to pass the following order:

5.1 The impugned order of transfer dated 18.12.2021 shall be kept in abeyance till 30.06.2022. The petitioner shall report to the transferred post on 01.07.2022.

6. Writ appeal is dismissed with the above said observations. No costs. Consequently, connected miscellaneous petition would not survive.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn/1

To
The Managing Director
State Express Transport Corporation (Tamilnadu) Ltd.,
No.2 Pallavan Salai,

<https://hcservices.gov.in/>



+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-15306[F] dated
30/03/2022)

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28.03.2022

RK(18/04/2022) 3P 3C